

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re:

**Harlow N. Higinbotham,**

Debtor.

Chapter 11

Bankruptcy No. 18-31185

Honorable LaShonda A. Hunt

**NOTICE OF MOTION**

Please take notice that, on **February 7, 2019, at 10:00 a.m.**, or as soon thereafter as counsel may be heard, the undersigned shall appear before the Honorable LaShonda A. Hunt, United States Bankruptcy Judge for the Northern District of Illinois, in Courtroom 719 of the United States Courthouse, at 219 South Dearborn Street, Chicago, Illinois, to present the **Motion of Wipaporn Teekhungam and the Parties' Minor Children to Extend Time to File a Complaint under 11 U.S.C. § 523**, a copy of which is included herewith and served upon you, at which time and place you may appear.

Dated: February 4, 2019

**Wipaporn Teekhungam, A.H., a minor, A.H., a minor, and A.H., a minor**

By: /s/ William J. Factor  
One of Their Attorneys

William J. Factor (6205675)  
Deborah K. Ebner, Of Counsel (6181615)  
Jeffrey K. Paulsen (6300528)

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## CERTIFICATE OF SERVICE

I, Jeffrey K. Paulsen, an attorney, hereby certify that on February 4, 2019, pursuant to Section II.B.4 of the Administrative Procedures for the Case Management/Electronic Case Filing System and Fed.R.Civ.P. 5(a), I caused a copy of the foregoing *Notice of Motion* and the accompanying *Motion* to be served electronically through the Court's Electronic Notice for Registrants on all persons identified as Registrants on the Service List below and by U.S. mail on all other persons identified on the Service List.

/s/ Jeffrey K. Paulsen

## SERVICE LIST

### Registrants

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**UNITED STATES BANKRUPTCY COURT  
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In re:

**Harlow N. Higinbotham,**

Debtor.

Chapter 11

Bankruptcy No. 18-31185

Honorable LaShonda A. Hunt

**MOTION OF WIPAPORN TEEKHUNGAM AND THE PARTIES'  
MINOR CHILDREN TO EXTEND TIME TO FILE A  
COMPLAINT UNDER 11 U.S.C. § 523**

When a creditor is still investigating a debtor's financial affairs, the time to file a complaint under 11 U.S.C. § 523 should be extended. Here, Wipaporn Teekhungam and the parties' minor children, A.H., A.H., and A.H., are in the midst of investigating the financial affairs of Harlow N. Higinbotham (the "Debtor"). To the extent the time limit for filing § 523 complaints applies to Teekhungam and the children, it should be extended.

**1. BACKGROUND.**

This case arises out of a long-running, multi-continental dispute over the failure of Harlow N. Higinbotham (the "Debtor") to pay child support to Wipaporn Teekhungam and the parties' ten-year-old triplets, A.H., A.H., and A.H. The Debtor filed this case on November 5, 2018, and the deadline to file complaints under § 523(a)(2), (4), or (6) expires on February 11, 2019.

Although Teekhungam and the children are owed domestic support obligations, which are nondischargeable pursuant to § 523(a)(5) and (15) and are not bound by the February 11 deadline (*see* § 523(c); Fed. R. Bankr. P. 4007(b),(c)), it is possible that the Debtor may argue that their debts fall under § 523(a)(2), (4), or (6). Out of an abundance of caution, and because they are still investigating the

Debtor's financial affairs, Teekhungam and the children request a three-month extension of the deadline to file complaints under § 523(a)(2), (4), or (6).

## **2. DISCUSSION**

A complaint under § 523(a)(2), (4), or (6) ordinarily must be filed within 60 days after the first date set for the meeting of creditors under § 341(a). Fed. R. Bankr. P. 4007(c). On a motion filed before expiration, the court may, for cause shown, extend that deadline. *Id.*

Here, Teekhungam and the children continue to investigate the Debtor's financial affairs. They have issued discovery to the Debtor and others and are awaiting responses. To allow that process to complete, as well as the hearing on the pending motion to dismiss, Teekhungam and the children request that the Court extend the deadline to file complaints under § 523(a)(2), (4), or (6) by three months.

**Wherefore**, Teekhungam and the children respectfully request that the Court extend the deadline to file complaints under § 523(a)(2), (4), or (6) to May 6, 2019, and grant such further relief as is appropriate in the circumstances.

Dated: February 4, 2019

Respectfully submitted,

**Wipaporn Teekhungam, A.H., a minor, A.H., a minor, and A.H., a minor**

By: /s/ William J. Factor  
One of Their Attorneys

William J. Factor (6205675)  
Deborah K. Ebner, Of Counsel (6181615)  
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